

Remarks

Claims 21-28 & 30-31 are at issue. Claims 21-28 stand rejected under 35 USC 102(b) as being anticipated by Wilkes (US 5,539,817). Claims 21-28 also stand rejected under a non-statutory double patenting rejection. It is assumed that the rejections extend to claims 29-31.

A terminal disclaimer and associated fee are enclosed. This should overcome the double patenting rejection.

Claim 21 as amended requires that the call be routed over a private line from the SSP of the first carrier to the SSP of the second carrier. Wilkes teaches away from private lines. Wilkes states "Businesses that have multiple locations within a LATA but who cannot cost-justify private lines can use MBG to cost-effectively network those locations." See Col. 1, lines 45-48. Wilkes does show the use of private lines in the prior art FIG.s 1 & 2, but these private lines are between LATAs and not to an intermediate carrier. Claim 21 is allowable.

Claims 22, & 24-27 are allowable as being dependent upon an allowable base claim.

Claim 23 requires a private line between the IXC and the virtual private network. Wilkes teaches away from private lines. Wilkes states "Businesses that have multiple locations within a LATA but who cannot cost-justify private lines can use MBG to cost-effectively network those locations." See Col. 1, lines 45-48. Wilkes does show the use of private lines in the prior art FIG.s 1 & 2, but these private lines are between LATAs and not to an intermediate carrier. Claim 23 is allowable.

Claim 28 as amended requires a private line between the first private virtual network and the intermediate carrier. Wilkes teaches away from private lines. Wilkes states "Businesses that have multiple locations within a LATA but who cannot cost-justify private lines can use MBG to cost-effectively network those locations." See Col. 1, lines 45-48. Wilkes does show the use of private lines in the prior art FIG.s 1 & 2,

but these private lines are between LATAs and not to an intermediate carrier. Claim 28 is allowable.

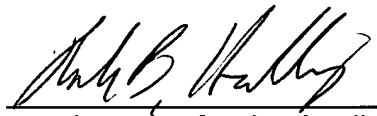
Claim 30 requires a private line between the IXC and the virtual private network. Wilkes teaches away from private lines. Wilkes states "Businesses that have multiple locations within a LATA but who cannot cost-justify private lines can use MBG to cost-effectively network those locations." See Col. 1, lines 45-48. Wilkes does show the use of private lines in the prior art FIG.s 1 & 2, but these private lines are between LATAs and not to an intermediate carrier. Claim 30 is allowable.

Claim 31 is allowable as being dependent upon an allowable base claim.

The application is now in condition for allowance.

Respectfully submitted,

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I hereby certify that a Response is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner of Patents and Trademarks, P.O. Box 1450, Alexandria, VA 22313-1450, on:

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